



City of West Allis

Meeting Agenda

Common Council

7525 W. Greenfield Ave.
West Allis, WI 53214

Mayor Dan Devine, Chair
Alderson Thomas G. Lajsic, Council President
Aldersons: Gary T. Barczak, Michael J. Czapski, Kevin Haass,
Michael P. May, Cathleen M. Probst, Rosalie L. Reinke,
Daniel J. Roadt, Vincent Vitale, and Martin J. Weigel

Tuesday, January 20, 2015

7:00 PM

City Hall Common Council Chambers

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARINGS

1. [R-2015-0017](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of S. 77 St. from W. Greenfield Ave. to W. National Ave. by concrete reconstruction with miscellaneous sidewalk repair, miscellaneous driveway repair, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.

Sponsors: Public Works Committee

E. CITIZEN PARTICIPATION

F. ANNOUNCEMENT OF RECESS MEETINGS OF STANDING COMMITTEES

New and Previous Matters referred to Committees may be considered and acted upon by Committees during the Common Council recess. Unless otherwise announced during the meeting, the standing Committees of the Common Council will meet during recess in the following rooms and in the following order:

Room 118
Administration & Finance, Safety & Development, Advisory

Room 128
Public Works, License & Health

G. MAYOR'S REPORT

1. Recent events attended
2. Awards/commendations
3. Upcoming events

H. ALDERPERSON'S REPORT

1. Recent events attended
2. Awards/commendations
3. Upcoming events

I. APPROVAL OF MINUTES

2. [2015-0055](#) Minutes (Draft) of the Common Council regular meeting of January 6, 2015.

Attachments: [010615 CC Minutes.Draft](#)

J. ITEMS NOT REFERRED TO COMMITTEE

3. [2015-0020](#) Summons and Complaint in the matter of Wisconsin Housing and Economic Development Authority vs. Michael A. Flood and Aloma J. Flood, et al regarding foreclosure of mortgage, Case No. 14CV010671.

Attachments: [WHEDA vs Flood](#)

K. STANDING COMMITTEE REPORTS

None.

L. MOTION FOR RECONSIDERATION

4. [2014-0769](#) 2014-2015 Operator's License (bartender/sales clerk) application no. 15-531 for Desiree Mariah Henningfield.

M. COMMON COUNCIL RECESS**N. NEW AND PREVIOUS MATTERS**

ADMINISTRATION & FINANCE COMMITTEE**New Matters for Introduction**

5. [O-2015-0005](#) An Ordinance to amend Salary Ordinance No. O-2014-0091 establishing the salaries of Certain Administrative and Clerical Employees for 2015 (Lead Neighborhood Services/Building Inspector, Building Inspector Plan Reviewer).
- Sponsors:* Administration & Finance Committee
6. [O-2015-0006](#) An Ordinance to amend Salary Ordinance No. O-2014-0088 establishing the salary ranges of certain positions in the Executive Service, the Managerial Service, the Deputy Service, and the Confidential, Professional and Supervisory Service of the City of West Allis for the year 2015 (Director of Building Inspections and Neighborhood Services, Librarian IV).
- Sponsors:* Administration & Finance Committee
- Attachments:* [Salary Sheets](#)
7. [R-2015-0053](#) Resolution relative to accepting the proposal of N & S Towing, Inc. for providing vehicle towing and storage services for the City of West Allis.
- Sponsors:* Administration & Finance Committee
- Attachments:* [VEHICLE TOWING AGREEMENT](#)
[1079 Appendix A Towing Contract](#)

City Attorney Claim Report

8. [2013-0688](#) Amended Summons and Complaint in the matter of CitiMortgage, Inc. vs Steven T. Curtis, et al, regarding foreclosure of mortgage, Case No.13-CV-008628.
City Attorney recommended to be placed on file.
9. [2014-0535](#) American Family Mutual Insurance Company communication submitted on behalf of Gina M. Estrada relative to vehicle damages allegedly sustained on W. Oklahoma Ave. at S. 106 St. on July 23, 2014.
City Attorney recommended to be placed on file.
10. [2014-0637](#) Notice of Circumstances of Claim on behalf of Gina Estrada relative to injuries and vehicle damages allegedly sustained while traveling eastbound on W. Oklahoma Ave. at the intersection of S. 106 St. on July 23, 2014.
- Attachments:* [Claim-Gina Estrada](#)
[Claim-Gina Estrada #2](#)
- City Attorney recommended to be placed on file.*
11. [2014-0744](#) Carla S. Kelder communication regarding invoice #2014-33 dated January 6, 2014, for snow removal charges done on December 27, 2013 and December 28, 2013.
City Attorney recommended to deny.

PUBLIC WORKS COMMITTEE**New Matters for Introduction**

12. [R-2015-0051](#) Resolution Approving an Extension of the Ground Lease Agreement by and between the City of West Allis and the United States Postal Service for Parking in the off-street Municipal Parking Lot.

Sponsors: Public Works Committee

Attachments: [R-2015-0051 Commission Agreement](#)

[R-2015-0051 Conflict of Interest](#)

[R-2015-0051 W-9](#)

[R-2015-0051 Lease](#)

13. [R-2015-0052](#) Resolution relative to accepting the proposal of Gutermann for furnishing and delivering one Correlator Water Leak Detection System for a total net sum of \$26,500.00.

Sponsors: Public Works Committee

Attachments: [1261 Correlator Water Leak Det Sys](#)

[1261 Water Leak Detection Letter](#)

Public Hearing Items (Public Works Committee)

14. [R-2015-0017](#) Resolution to confirm and adopt the report of the Director of Public Works/City Engineer containing the schedule of proposed assessments for improvement of S. 77 St. from W. Greenfield Ave. to W. National Ave. by concrete reconstruction with miscellaneous sidewalk repair, miscellaneous driveway repair, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments.

Sponsors: Public Works Committee

15. [R-2015-0018](#) Final Resolution authorizing public improvement by concrete reconstruction with miscellaneous sidewalk repair, miscellaneous driveway repair, storm sewer, storm sewer relay, sanitary sewer relay, water main relay, building services and utility adjustments in S. 77 St. from W. Greenfield Ave. to W. National Ave. and levying special assessments against benefited properties.

Sponsors: Public Works Committee

SAFETY & DEVELOPMENT COMMITTEE**New Matters for Introduction**

16. [R-2015-0008](#) Resolution authorizing the Director of Development to enter into a professional environmental services contract to complete a Phase 2 Environmental Site Assessment for the property located at 7030 W. National Ave. in the amount not to exceed \$10,000.00.
- Sponsors:* Safety & Development Committee
17. [2015-0036](#) Special Use Permit for Within Reason Resale and Consignment, a proposed second-hand article retail store, to be located at 1588 S. 81 St.
18. [2015-0037](#) Special Use Permit for Cream City Clay, a proposed pottery studio with classes, to be located at 7105 W. Greenfield Ave.
19. [2015-0038](#) Special Use Permit for the Wisconsin Humane Society for a proposed spay and neuter clinic to be located at 9400 W. Lincoln Ave.
20. [2015-0041](#) Special Use Permit for a proposed church, Metropolitan Church of Christ, to be located at 9413 W. Greenfield Ave.
21. [2015-0043](#) Special Use Permit for a proposed auto dealership for Maserati/Alfa Romeo, to be located at 10221 W. Arthur Ave.

Previous Matters for Consideration

22. [O-2015-0001](#) Ordinance to amend Subsections 12.06, 12.40 (1)(y) and (z), 12.40(2)(r), 12.41(1)(v), (x), 12.41(2)(cc), 12.42(1)(h) and (i), of the Revised Municipal Code relative to defining and permitting medical clinics, mental health services, hospitals, and medical service facilities
- Sponsors:* Ald. Czaplewski

LICENSE & HEALTH COMMITTEE**New Matters for Introduction**

23. [O-2015-0004](#) An Ordinance to Amend Subsection 9.15(3)(b) and 9.15(7)(c)1 of the West Allis Revised Municipal Code Relating to Pawn Shops, Secondhand Stores, Secondhand Jewelry Dealers.
- Sponsors:* Ald. Czaplewski
24. [2015-0046](#) Communication from Joseph Kempen, President, Motor Castings Company located at 1323 S. 65 St. requesting a three year extension of the Noise Variance.
- Attachments:* [Motor Castings Communication](#)
25. [2015-0035](#) Appointment of new agent, Tony Bender, by National Entertainment Network LLC, d/b/a National Entertainment Network, LLC. (2014-2015 Amusement Distributor's License no. 1772).

26. [2015-0052](#) 2014-2015 Instrumental Music License application no. 2168 of 5 WILS, LLC, Jason M. Wilson, Agent, d/b/a Magoo's Sports Pub, 8911 W. National Avenue (2014-2015 Class B Tavern License no. 2021).
27. [2015-0048](#) 2014-2015 Instrumental Music License application no. 2167 of OAR, LLC, Michael C. O'Connor, Agent, d/b/a O'Connor's Perfect Pint, 8423 W. Greenfield Avenue (2014-2015 Class B Tavern License no. 838 and Dance Hall License no. 840).
28. [2015-0047](#) 2014-2015 Class B Tavern Special Event Permit application no. 19 of OAR, LLC, Michael C. O'Connor, Agent, d/b/a O'Connor's Perfect Pint, 8423 W. Greenfield Ave. (2014-2015 Class B Tavern License no. 838, Dance Hall License no. 840, and Instrumental Music License application no. 2167) for a St. Patrick's Day Party to be held Tuesday, March 17, 2015 from 8:00 a.m.- 10:00 p.m. (Tents to be placed in parking).
29. [2015-0039](#) Operator's License (bartender/sales clerk) applications.
30. [2015-0049](#) Police Department Report regarding December 16, 2014 Tobacco Compliance Check involving twelve (12) West Allis business, resulting with none selling tobacco to an underage person without requesting identification.
Attachments: [Police Department Report December 2014](#)
31. [2015-0050](#) Police Department Report regarding December 17, 2014 Tobacco Compliance Check involving fourteen (14) West Allis business, resulting with none selling tobacco to an underage person without requesting identification.
Attachments: [Police Department Report December 2014](#)
32. [2015-0021](#) Police Department report regarding tavern violations/calls for service for the month of December 2014.
Attachments: [Police Dept. Report December 2014](#)
33. [2015-0022](#) Police Department Report involving 7-West Bistro & Ultra Lounge, 7211 W. Greenfield Ave. (2014-2015 Class B Tavern License no. 2139, Dance Hall License no. 2140, and Instrumental Music License no. 2141 of Wisconsin Beverage & Entertainment Partners, LLC, Edward A. Brown, Jr., Agent, Incident Date: December 7, 2014).
34. [2015-0023](#) Police Department Report involving 7-West Bistro & Ultra Lounge, 7211 W. Greenfield Ave. (2014-2015 Class B Tavern License no. 2139, Dance Hall License no. 2140, and Instrumental Music License no. 2141 of Wisconsin Beverage & Entertainment Partners, LLC, Edward A. Brown, Jr., Agent, Incident Date: December 22, 2014).
35. [2015-0031](#) Police Department Report involving Stallis Palace, 8812 W. Greenfield Ave. (2014-2015 Class B Tavern License no. 1956 of Stallis Palace, LLC, Rachel L. Wesenberg, Agent, Incident Date: December 20, 2014).

36. [2015-0025](#) Police Report involving The Drunken Duck, 5906 W. Burnham St. (2014-2015 Class B Tavern License no. 1743 and Instrumental Music License no. 1788 of Beer Garden Entertainment LLC, Lindsey Anne Guillermo, Agent, Incident Date: December 14, 2014).
37. [2015-0024](#) Police Department Report involving Dopp's Bar & Grill, 1753 S. 68 St. (2014-2015 Class B Tavern License application no. 1490, Dance Hall License application no. 1492 and Instrumental Music License application no. 1491 of Doppelgangers, Inc., Tammy L. Dopp, Agent, Incident Date: December 27, 2014).
38. [2015-0034](#) Police Department Report involving Tap 58, 5732 W. Mitchell St. (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005 and Instrumental Music License no. 2083 of Morgan Murphy Enterprises, LLC, Sarah M. Reimer, Agent, Incident Date: December 18, 2014).
39. [2015-0033](#) Police Report involving Studz Pub, 6833 W. National Ave. (2014-2015 Class B Tavern License no. 1867 of DTR Enterprises, LLC, Dean T. Ratas, Agent, Incident Date: December 20, 2014).
40. [2015-0032](#) Police Report involving Studz Pub, 6833 W. National Ave. (2014-2015 Class B Tavern License no. 1867 of DTR Enterprises, LLC, Dean T. Ratas, Agent, Incident Date: December 14, 2014).
41. [2015-0030](#) Police Department Report involving Sir Gregory's Pub, 7534 W. Beloit Rd. (2014-2015 Class B Tavern License no. 832 and Dance Hall License no. 834 of Sir Gregory's Pub, LLC, Gregory L. Tans, Agent, Incident Date: December 3, 2014).
42. [2015-0029](#) Police Department Report involving Larry Michael's Club & Cafe, 8900 W. Greenfield Ave. (2014-2015 Class B Tavern License no. 472, Dance Hall License no. 1040 and Instrumental Music License no. 1039, Larry M. Beilfuss, Incident Date: December 25, 2014).
43. [2015-0028](#) Police Department Report involving Larry Michael's Club & Cafe, 8900 W. Greenfield Ave. (2014-2015 Class B Tavern License no. 472, Dance Hall License no. 1040 and Instrumental Music License no. 1039, Larry M. Beilfuss, Incident Date: December 2, 2014).
44. [2015-0027](#) Police Department Report involving Jim's Oval Bar, 9141 W. National Ave. (2014-2015 Class B Tavern License no. 717 and Dance Hall License no. 719 of Henry Enterprises Ltd., James F. Henry, Agent, Incident Date: December 30, 2014).
45. [2015-0026](#) Police Department Report involving Jim's Oval Bar, 9141 W. National Ave. (2014-2015 Class B Tavern License no. 717 and Dance Hall License no. 719 of Henry Enterprises Ltd., James F. Henry, Agent, Incident Date: December 22, 2014.)
46. [2015-0040](#) 2014-2015 Operator's License (bartender/sales clerk) application no. 15-558 for Christopher P. Czaplewski.

47. [2015-0042](#) 2014-2015 Operator's License (bartender/sales clerk) application no. 15-557 for Caleb S. Fox.

48. [2015-0044](#) 2014-2015 Operator's License (bartender/sales clerk) application no. 15-556 for Ian J. Laurich.

49. [2015-0053](#) Communication from Health Commissioner providing an update on Morgan Murphy Enterprises, LLC, Mary Jo Burback, for the premises located at 5732 W. Mitchell St., d/b/a Tap 58 (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005, Instrumental Music License no. 2083 and Food-Related Permit/License).

Attachments: [Health Commissioner communication](#)

50. [2015-0045](#) Findings and Recommendations in the Matter of the Complaint against Morgan Murphy Enterprises, LLC, Mary Jo Burback, for the premises located at 5732 W. Mitchell St., d/b/a Tap 58 (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005, Instrumental Music License no. 2083 and Food-Related Permit/License).

Attachments: [F & R Tap 58](#)

Previous Matters for Consideration

51. [2015-0014](#) Summons and Complaint in the matter of the complaint against Morgan Murphy Enterprises, LLC, Mary Jo Burback, for the premises located at 5732 W. Mitchell St., d/b/a Tap 58 (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005, Instrumental Music License no. 2083 and Food-Related Permit/License).

Attachments: [Morgan Murphy Enterprises Summons](#)
[Morgan Murphy Enterprises Complaint](#)
[Morgan Murphy Enterprises, LLC Affidavit of Service](#)

ADVISORY COMMITTEE

New Matters for Introduction

52. [2015-0051](#) Appointments by Mayor Devine of Youth Members (Kraus, Rindahl, Sanchez, Schneeberg) to the West Allis Youth Commission.

Attachments: [Letter re new appointments to Youth Commission](#)

53. [2015-0056](#) Appointment by Mayor Devine of one new Youth Member (Timothy Biewer-Heisler) to the West Allis Youth Commission.

54. [2015-0057](#) Appointment by Mayor Devine of Marsha Lawson as a member of the West Allis Beautification Committee, her two-year term to expire December 31, 2016.

55. [2015-0060](#) Appointment by Mayor Devine of Amy Van Deuren as an Adult Advisor-School Superintendent's Designee to the West Allis Youth Commission.

56. [2015-0058](#) Reappointment by Mayor Devine of Patricia Wolfe as a member of the West Allis Beautification Committee, under the guidelines of the ordinance pertaining to limitation on consecutive terms for members of boards and commissions, her two-year term to expire December 31, 2016.
57. [2015-0059](#) Reappointments by Mayor Devine to the West Allis Board of Health of Dr. Mark Roberts and Mary Cay Freiberg, their two-year terms to expire January 1, 2017.

O. ADJOURNMENT

All meetings of the Common Council are public meetings. In order for the general public to make comments at the committee meetings, the individual(s) must be scheduled (as an appearance) with the chair of the committee or the appropriate staff contact; otherwise, the meeting of the committee is a working session for the committees itself, and discussion by those in attendance is limited to committee members, the mayor, other alderpersons, staff and others that may be a party to the matter being discussed.

NON-DISCRIMINATION STATEMENT

The City of West Allis does not discriminate against individuals on the basis of race, color, religion, age, marital or veterans' status, sex, national origin, disability or any other legally protected status in the admission or access to, or treatment or employment in, its services, programs or activities.

AMERICANS WITH DISABILITIES ACT NOTICE

Upon reasonable notice the City will furnish appropriate auxiliary aids and services when necessary to afford individuals with disabilities an equal opportunity to participate in and to enjoy the benefits of a service, program or activity provided by the City.

LIMITED ENGLISH PROFICIENCY STATEMENT

Its the policy of the City of West Allis to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served or likely to be directly affected by our programs. Such services will be focused on providing meaningful access to our programs, services and/or benefits.